

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DIANE RAMONA NUNLEY,

Plaintiff,

v.

FORD MOTOR COMPANY, a foreign
corporation; and ENTERPRISE
HOLDINGS, INC., dba ENTERPRISE
RENT-A-CAR, a foreign corporation,

Defendant.

CASE NO. C11-5075RBL

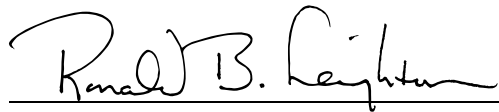
ORDER TO SHOW CAUSE

THIS MATTER comes before the Court sua sponte in response to the filing by plaintiff of an "Affidavit of Prejudice" asserting form language taken from state court procedures challenging the impartiality of the judge assigned to the case. In the United States District Court for the Western District of Washington a motion to recuse is to be filed with the trial court pursuant to 28 U.S.C. § 144. The motion must be accompanied by an affidavit stating the facts and the reasons for the belief that bias or prejudice exists. Upon receipt of a motion and affidavit to recuse, the Clerk refers the matter to the Chief Judge as required by General Rule 8.

Before a ruling is made on a motion to recuse any judge, the challenged judge will be afforded an opportunity to review the motion papers and decide whether to recuse voluntarily.

1 The "affidavit" filed on behalf of plaintiff is bereft of facts or reasons supporting the belief that
2 the assigned judge is biased against plaintiff. Within five days of this Order, plaintiff shall file
3 an affidavit that meets the requirements of 28 U.S.C. § 144. The Clerk of Court will refer the
4 matter to Chief Judge Lasnik and this Court will decide whether to recuse voluntarily. If the
5 assigned judge does not recuse voluntarily after reviewing the facts submitted by plaintiff, Judge
6 Lasnik will decide whether the facts and/or reasons proffered by plaintiff justify the recusal of
7 the assigned judge.

8 Dated this 3rd day of February, 2011.

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11 RONALD B. LEIGHTON
12 UNITED STATES DISTRICT JUDGE
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